

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X
TARASIK ABDELL, et al.,

Plaintiffs,

05 CV 8453 (KMK)(JCF)

-versus-

THE CITY OF NEW YORK, et al.

Defendants.

-----X
ALL CONSOLIDATED RNC CASES

(KMK) (JCF)

**DECLARATION OF
JEFFREY A. DOUGHERTY**

-----X
JEFFREY A. DOUGHERTY, an attorney duly admitted to practice in the State of New York and before this Court, declares under penalty of perjury and pursuant to 28 U.S.C. § 1746, that the following statements are true and correct:

1. I am an attorney in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, attorney for defendant The City of New York. As such, I am familiar with the facts stated below and submit this declaration in support of Defendants' Rule 72 objections to the Magistrate Judge's order that the City either destroy documents from the its litigation files or deliver them to plaintiffs.

2. Annexed as Exhibit A is a March 6, 2006 Rule 68 Offer of Judgment to various plaintiffs in the Abdell v. City of N.Y., 05-CV-8453, provided as an example of the City's Rule 68 offers of judgment in the RNC cases.

3. Annexed as Exhibit B is a March 20, 2006 Notice of Acceptance of the City's Rule 68 Offer of Judgment by various plaintiffs in the Abdell case.

4. Annexed as Exhibit C is a November 7, 2006 letter from Michael L. Spiegel, Esq., attorney to the Abdell plaintiffs.

5. Annexed as Exhibit D is a December 4, 2006 letter from defendants.

6. Annexed as Exhibit E is a December 4, 2006 letter from Mr. Spiegel.
7. Annexed as Exhibit F is a December 6, 2006 letter from defendants.
8. Annexed as Exhibit G is the Magistrate Judge's December 7, 2006 order.
9. Annexed as Exhibit H is a December 18, 2006 letter from defendants.
10. Annexed as Exhibit I is the Magistrate Judge's December 21, 2006 order.
11. Annexed as Exhibit J is a January 8, 2007 letter from defendants.
12. Annexed as Exhibit K is the Magistrate Judge's January 12, 2007 order.

Dated: New York, New York
January 29, 2007

Respectfully submitted,

MICHAEL A. CARDOZO
Corporation Counsel of the City of New York
Attorney for Defendants
100 Church Street, Room 3-126
New York, New York 10007
212-788-8342

By: /s/
Jeffrey A. Dougherty (JD 5224)
Special Assistant Corporation Counsel
Special Federal Litigation Division